

Senator Roberts' Statement at Rules Committee Hearing on EAC Nominations

It seems like we've been here before. This is the second time these witnesses have been before the committee as nominees for this Commission.

We previously had a confirmation hearing for these individuals in June of 2011.

One significant difference today is the absence of a Republican nominee.

The Election Assistance Commission was established as a bi-partisan commission and intended to be evenly divided with 2 Republican Commissioners and 2 Democrats.

As my colleague Mr. Alexander ably demonstrated at the hearing over 2 years ago, the Election Assistance Commission has fulfilled its purpose and should be eliminated.

At that hearing, Republicans on this committee called for hearings to examine the need for the Commission. Those hearings never happened. Instead, we're back here over 2 years later with the very same nominees.

This committee has never had an oversight hearing on the EAC.

Never.

Despite its now expired authorization, we have never examined the real continuing need for this commission, or considered whether any remaining responsibilities could be taken on by other agencies.

We can't be bothered to perform those basic oversight obligations I guess – it's easier to just keep plowing millions of dollars a year into the agency.

Nominations to commissions like this have normally been paired with a Republican nominee joined to a Democrat.

Because Republicans have called for elimination of the agency, we have not put forward new nominees.

Now, in light of our new rules, the majority can do whatever it wants and can move these nominations with no minority support and no Republican pair.

That presents a problem for us in that it puts us in position of having to make appointments to a commission we want to abolish, or otherwise allow the majority to make its own appointments and thereby control the commission.

While I do not think we need this commission, I do believe that if it is going to exist it must be balanced.

The curious thing about the nominations before us today is that Republicans do not seem to be the only ones who have questioned the need for the commission. Democrats do not seem to have much regard for the EAC either, though that lack of regard has been expressed in deed rather than word.

These nominations have been made by the President of the United States. Yet when the President wanted an examination of the problems in the 2012 election, did he turn to the EAC?

No he did not.

In fact, in March of this year, he created a new commission by executive order – the Presidential Commission on Election Administration.

According to its mission statement –

‘(a) The Commission shall identify best practices and otherwise make recommendations to promote the efficient administration of elections in order to ensure that all eligible voters have the opportunity to cast their ballots without undue delay, and to improve the experience of voters facing other obstacles in casting their ballots, such as members of the military, overseas voters, voters with disabilities, and voters with limited English proficiency.’

Isn't that what the EAC is for?

Do we need two commissions for this?

If President Obama doesn't think the EAC can do its job, why he is making new nominations to it?

Even my majority colleagues here on this committee don't seem to have much regard for the EAC.

Last week, I received a letter from the General Accountability Office advising me that they were conducting a study into the impact of voter ID requirements in Kansas and Tennessee. The study was initiated at the request of some majority Members of this Committee, including its Chairman.

So think about that for a minute.

We're here today because the majority says we need to preserve the EAC, but when majority Members of this committee want a study done on a voting issue, they don't think the EAC is up to the task.

If they think the GAO is better able to do these studies, what do we need the EAC for?

It's a pretty sad state of affairs Mr. Chairman.

So what does the future hold?

If the majority sees the light maybe we can finally get rid of this commission and save the taxpayers some money.

If they persist in pushing these nominees through, we may be back here for another confirmation hearing to ensure the commission maintains some measure of balance.

Only time will tell.